



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**

Introduced 02/04/04, by Charles G. Morrow III

**SYNOPSIS AS INTRODUCED:**

765 ILCS 740/3 new

Amends the Tenant Utility Payment Disclosure Act. Requires a landlord to provide to the prospective tenant a separate statement detailing any utility services to be paid for by the landlord. Provides that failure of the landlord to provide the required statement does not invalidate the lease, but gives rise to a rebuttable presumption of the landlord's bad faith in any action against the landlord based in whole or in part on the landlord's failure to provide utility services.

LRB093 20933 EFG 46911 b

1 AN ACT concerning disclosure of utility services to be  
2 provided by landlords.

3 **Be it enacted by the People of the State of Illinois,**  
4 **represented in the General Assembly:**

5 Section 5. The Tenant Utility Payment Disclosure Act is  
6 amended by adding Section 3 as follows:

7 (765 ILCS 740/3 new)

8 Sec. 3. Disclosure of utility services to be provided by  
9 landlord. Before executing a lease, the landlord shall provide  
10 to the prospective tenant a separate statement detailing any  
11 utility services to be paid for by the landlord. The statement  
12 shall specifically declare that payment for the indicated  
13 utility services is the obligation of the landlord rather than  
14 the tenant and that the indicated utility services will be  
15 turned on and functioning by the date of occupancy under the  
16 lease.

17 Failure of the landlord to provide the required statement  
18 does not invalidate the lease, but shall give rise to a  
19 rebuttable presumption of the landlord's bad faith in any  
20 action against the landlord based in whole or in part on the  
21 landlord's failure to provide utility services.